

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**TERESA DE JESUS HERRERA,**

**Plaintiff,**

**vs.**

**THE PHYSICIAN NETWORK and  
CATHOLIC HEALTH INITIATIVES  
PHYSICIAN SERVICES, LLC,**

**Defendants.**

**8:20CV99**

**FIFTH AMENDED  
CASE PROGRESSION ORDER**

This matter is before the Court on the Joint Motion to Amend Fourth Amended Case Progression Order ([Filing No. 71](#)). After review of the parties' motion, the Court finds good cause to grant the requested extensions. Accordingly,

**IT IS ORDERED** that the Joint Motion to Amend Fourth Amended Case Progression Order ([Filing No. 71](#)) is granted, and the fourth amended case progression order is amended as follows:

- 1) The deposition deadline is extended to **August 18, 2021**.
- 2) The planning conference scheduled for July 16, 2021, is cancelled. The trial and pretrial conference will not be set at this time. A planning conference to discuss case progression, dispositive motions, the parties' interest in settlement, and the trial and pretrial conference settings will be held with the undersigned magistrate judge on **August 27, 2021**, at **11:00 a.m.** by telephone. Counsel shall use the conferencing instructions assigned to this case to participate in the conference.
- 3) The deadline for filing motions to dismiss and motions for summary judgment is extended to **September 20, 2021**.
- 4) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is extended to **September 20, 2021**.
- 5) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.
- 6) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 12<sup>th</sup> day of July, 2021.

BY THE COURT:

s/Michael D. Nelson  
United States Magistrate Judge